

REMARKS

The Office Action and the cited and applied references have been carefully reviewed. No claim is allowed. Claims 1-8 and 10-14 presently appear in this application and define patentable subject matter warranting their allowance. Reconsideration and allowance are hereby respectfully solicited.

Claims 1-20 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Halazy et al., WO 01/47920, in view of Bennet et al., *Current Opinions in Pharmacology* 3:420-425 (2003). This rejection is respectfully traversed.

Claims 1, 13 and 14 are amended to positively recite for treating diabetes type II, as supported in the present specification at page 3, line 4, and do not raise any new issues since diabetes type II is one of the metabolic disorders specifically recited in cancelled claims 19 and 20. Claim 1 is also amended to incorporate the features recited in claim 9, now cancelled.

The presently claimed use of a combination of a JNK inhibitor compound of formula (I) and at least one of the recited supplementary drugs is not obvious to one of ordinary skill in the art since neither Halazy nor Bennett provides any teaching or guidance that formula (I) compounds can be

combined with any of the recited supplementary drugs. In addition, the composition and the use of the specific JNK inhibitors of formula (I) with an anti-diabetes agent, as recited in claims 12-14, are also unobvious.

Reconsideration and withdrawal of the rejection are therefore respectfully requested.

Claims 1-20 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Gaillard et al., WO 03/091249 in view of Bennett et al. This rejection is respectfully traversed.

Gaillard also does not provide any teaching or guidance regarding combining a JNK inhibitor compound of formula (I) with a supplementary drug (as recited in claim 1) or with an anti-diabetes agent. Bennett does not provide any guidance either and cannot make up for the deficiencies of the primary Gaillard reference, as noted above. Accordingly, the combination of Gaillard and Bennett cannot make obvious the presently claimed inventions.

Reconsideration and withdrawal of the rejection are therefore respectfully requested.

In view of the above, the claims comply with 35 U.S.C. §112 and define patentable subject matter warranting

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their allowance. Favorable consideration and early allowance
are earnestly urged.

Respectfully submitted,

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